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Arizona Corporation Commission

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AZ CORP COMMISSION
DOCKET CONTROL

DOCKETED BY

Attorneys for Northern Sunrise Water Company
and Southern Sunrise Water Company

BEFORE THE ARIZONA CORPORATION COMMISSION

IN THE MATTER OF THE APPLICATION OF
NORTHERN SUNRISE WATER COMPANY
FOR A CERTIFICATE OF CONVENIENCE
AND NECESSITY TO PROVIDE WATER
UTILITY SERVICE IN COCHISE COUNTY,
ARIZONA.

DOCKET NO. W-20453A-06-0247

IN THE MATTER OF THE APPLICATION OF
SOUTHERN SUNRISE WATER COMPANY
FOR A CERTIFICATE OF CONVENIENCE
AND NECESSITY TO PROVIDE WATER
UTILITY SERVICE IN COCHISE COUNTY,
ARIZONA.

DOCKET NO. W-20454A-06-0248

IN THE MATTER OF THE JOINT
APPLICATION OF NORTHERN SUNRISE
WATER COMPANY AND SOUTHERN
SUNRISE WATER COMPANY FOR THE
APPROVAL OF SALE AND TRANSFER OF
WATER UTILITY ASSETS, AND
CANCELLATION OF CERTIFICATES OF
CONVENIENCE AND NECESSITY, FOR
MIRACLE VALLEY WATER COMPANY,
COCHISE WATER COMPANY, HORSESHOE
RANCH WATER COMPANY, CRYSTAL
WATER COMPANY, MUSTANG WATER
COMPANY, CORONADO ESTATES WATER
COMPANY, AND SIERRA SUNSET WATER
COMPANY, LOCATED IN COCHISE
COUNTY, ARIZONA.

DOCKET NOS. W-20453A-06-0251
W-20454A-06-0251
W-01646A-06-0251
W-01868A-06-0251
W-02235A-06-0251
W-02316A-06-0251
W-02230A-06-0251
W-01629A-06-0251
W-02240A-06-0251

REQUEST FOR EXTENSION OF TIME TO FILE RATE CASE

In Decision No. 68826 (June 29, 2006), the Arizona Corporation Commission
ordered Northern Sunrise Water Company, Inc. ("Northern Sunrise") and Southern

1 Sunrise Water Company ("Southern Sunrise") (collectively herein, "Applicants") to file
2 general rate cases in 2008 employing a 2007 Test Year.

3 On May 30, 2007, Applicants filed a Motion to Extend Time to Comply with
4 Decision No. 68826, citing delays caused by the bankruptcy proceedings of the former
5 McLain Water Systems, and requesting that they be allowed to use a test year ending
6 June 30, 2008. On July 10, 2007, Staff filed its Staff Report stating that it had no
7 objection to the request. By Procedural Order dated August 14, 2007, Decision No. 68826
8 was modified to require a rate case filing by December 31, 2008 using a test year of
9 June 30, 2008.

10 On February 14, 2008, Applicants filed a second Motion for Extension of Time to
11 Comply with Decision No. 68826, citing delays preventing the completion of facility
12 improvements for seven separate water systems. In a Procedural Order dated April 21,
13 2008, Decision No. 68826 was modified extending the requirement to file a generate rate
14 case until April 1, 2009 using a test year ending December 31, 2008.

15 By this motion, the Applicants seek one more time to extend the deadline to file
16 general rate cases until and no later than August 31, 2009. The purpose of this extension
17 is to allow for the test years to be used by Northern Sunrise and Southern Sunrise to be
18 matched to an available test year for an affiliate, Bella Vista Water Company ("BVWC").
19 BVWC is located nearby, and in some cases contiguous to the Northern Sunrise and
20 Southern Sunrise service areas, and was planning to file a rate case in 2009 using a test
21 year ending March 31, 2009. Applicants believe that tangible benefits can be derived
22 from a consolidation of the three water companies into a single water service provider.
23 However, in order for there to be a meaningful opportunity to show the Commission why
24 such consolidation is in the public interest, all three companies need to have rate cases
25 pending at the same time using the same test year.

26 Based on the foregoing, Applicants respectfully assert it is in the public interest to

1 grant this motion and issue an order allowing Northern Sunrise and Southern Sunrise to
2 file general rate cases no later than August 31, 2009 using a test year ending March 31,
3 2009. The Applicants assert that no harm will come to ratepayers by virtue of this
4 extension to file rate cases. In fact, the likely worst case is that the additional time to file
5 will only delay the implementation of further rate increases, rate increases that may be
6 somewhat ameliorated if the proposed consolidation were found to be in the public
7 interest.

8 RESPECTFULLY SUBMITTED this 23rd day of February, 2009.

9 FENNEMORE CRAIG, P.C.

10
11 By: 

12 Jay L. Shapiro
13 Patrick J. Black
14 Attorneys for Applicants,
15 Northern Sunrise Water Company and
16 Southern Sunrise Water Company

17 **ORIGINAL** and 17 copies of the foregoing
18 filed this 23rd day of February, 2009, with:

19 Docket Control
20 Arizona Corporation Commission
21 1200 W. Washington St.
22 Phoenix, AZ 85007

23 **COPY** of the foregoing hand-delivered
24 this 23rd day of February, 2009, to:

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26 Legal Division
Arizona Corporation Commission
1200 W. Washington St.
Phoenix, AZ 85007

Ernest Johnson, Director
Utilities Division
Arizona Corporation Commission
1200 W. Washington St.
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1 Marlin Scott, Jr.
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4 1200 W. Washington St.
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5 **COPY** of the foregoing emailed and mailed
this 23rd day of February, 2009, to:

6 Jane Rodda, Administrative Law Judge
7 Hearing Division
8 Arizona Corporation Commission
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JRodda@azcc.gov

10 **COPY** of the foregoing mailed
this 23rd day of February, 2009, to:

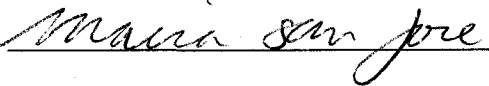
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